

| <b>TITLE I FEDERAL AID HIGHWAYS:</b>             |  |
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| <b>(1105) FREIGHT IMPROVEMENT PROGRAM (FIP):</b> | <ul style="list-style-type: none"> <li>○ Amends 23 USC 119</li> <li>○ New formula based "Core Program" <ul style="list-style-type: none"> <li>– Does not specify what the distribution formula will be.</li> </ul> </li> <li>○ Eligible projects include: <ul style="list-style-type: none"> <li>– Highways that are related to, or improving freight movement or access to ports, intermodal facilities, and gateways</li> <li>– Highways that improve access for military purposes</li> <li>– Truck parking facilities</li> <li>– Located on the NHS or a secondary freight route (see below)</li> </ul> </li> <li>○ States must appoint a freight advisory council that has the following roles: <ul style="list-style-type: none"> <li>– Advisor to the state on freight priorities, issues, projects and funding needs</li> <li>– Communication and coordination</li> <li>– Information sharing</li> <li>– Freight plan development participant (see below)</li> </ul> </li> <li>○ States must develop a freight plan <ul style="list-style-type: none"> <li>– Identifies trends and issues</li> <li>– Describes freight policies, strategies and performance measures</li> <li>– Considers condition of state freight routes including secondary freight routes</li> <li>– Plan for meeting performance targets (see below)</li> </ul> </li> <li>○ States must inventory non-NHS roads for economic or freight related importance <ul style="list-style-type: none"> <li>– Submit to DOT for approval as "secondary freight routes", which are eligible for Freight Improvement program funds</li> <li>– Secondary freight routes are those not on the NHS, certified by the State DOT</li> <li>– System mileage is capped to the total of federal aid highways in a state</li> <li>– Designations can be removed and restored by US DOT</li> </ul> </li> <li>○ Performance Measures and Accountability <ul style="list-style-type: none"> <li>– Performance targets for speed and reliability of freight movement set by US DOT in cooperation with each state</li> <li>– States report and document progress on meeting targets</li> </ul> </li> <li>○ Freight Corridor Coalitions and Plans – similar to Corridors of the Future Program <ul style="list-style-type: none"> <li>– Limited to ten corridors nationally designated by US DOT</li> <li>– States may form interstate coalitions that must include State DOT's and MPO's for TMA's in the corridor, and representatives of the various freight modes, major ports, and private sector stakeholders</li> <li>– US DOT designates the corridor</li> <li>– Coalition must and demonstrate that they have the capacity to analyze their corridor, build consensus among its members and</li> </ul> </li> </ul> |

**Surface Transportation Act of 2009**  
**Outline of Major Programs**  
**June 28, 2009**

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|   | <ul style="list-style-type: none"> <li>develop a plan for improvements <ul style="list-style-type: none"> <li>– The plan covers highway, rail, intermodal capacity, maintenance and operational improvement projects as well as short sea shipping</li> <li>– The plan will rank projects and must be consistent with state and regional plans</li> <li>– Secretary of US DOT may make grants to fund expenses of the organization</li> </ul> </li> </ul>  |
| <b>(1106) SURFACE TRANSPORTATION PROGRAM (STP):</b> | <ul style="list-style-type: none"> <li>○ Amends 23 USC 133</li> <li>○ Adds the following to project eligibility: <ul style="list-style-type: none"> <li>– Tunnels</li> <li>– Highway Safety Improvement projects and activities</li> <li>– Bridge construction to add other modes</li> </ul> </li> <li>○ Eliminates 10 percent TE set aside and instead requires that 10 percent of statewide population distributed funds be spent on TE projects</li> <li>○ Changes population distribution to reflect loss of TE set aside</li> <li>○ Acknowledges rural planning organizations and requires State coordination in selecting projects</li> </ul>  |
| <b>(1107) FERRY PROGRAM:</b>                        | <ul style="list-style-type: none"> <li>○ Designates a Ferry Program <ul style="list-style-type: none"> <li>– Coordinated through the Office of Intermodalism</li> <li>– Requires a National Ferry Database</li> </ul> </li> </ul>  |
| <b>(1108) HIGHWAY SAFETY IMPROVEMENT PROGRAM:</b>   | <ul style="list-style-type: none"> <li>○ Amends 23 USC 148</li> <li>○ Eliminates set asides for highway-rail crossings and high risk rural roads</li> <li>○ Adds new definitions for “Crossings” and Highway Rail Incident</li> <li>○ Changes definition of High Risk Rural Road to uncouple it from statewide averages for accidents and fatalities in favor of likelihood of crashes</li> <li>○ Federal share of Highway Safety Improvement Projects is 90 percent</li> <li>○ Strategic Highway Safety Plan <ul style="list-style-type: none"> <li>– Increases coordination for developing the Strategic Highway Safety Plan to include the following: <ul style="list-style-type: none"> <li>• Tribal governments</li> <li>• DMV</li> <li>• Office of Traffic Safety</li> <li>• People implementing grade crossing and rail safety</li> </ul> </li> <li>– Content of plan amended to include tribal planning processes</li> </ul> </li> <li>○ Establishes a requirement for an HSIP Investment Plan to be developed by the state <ul style="list-style-type: none"> <li>– Required after 2012</li> <li>– Documents and prioritizes highway safety needs</li> <li>– Covers six years</li> <li>– Describes how the state will allocate funds <ul style="list-style-type: none"> <li>• Among public roads, highway-rail crossings, bicycle/pedestrian paths and trails,</li> <li>• By functional classification and ownership</li> <li>• Types of safety projects, and</li> <li>• Other safety projects within the scope of 23 USC</li> </ul> </li> <li>– Tied to performance targets</li> </ul> </li> </ul> |

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|  | <ul style="list-style-type: none"> <li>– US DOT approves the document</li> <li>– US DOT can also reduce performance targets if it determines that apportionments are not sufficient or in the event of an emergency</li> <li>○ Performance Measures and Accountability <ul style="list-style-type: none"> <li>– Performance targets for reducing fatalities and injuries set by Secretary of US DOT</li> <li>– Targets vary by state</li> <li>– States develop a plan to meet targets, which are approved by US DOT and report annually on progress</li> <li>– Funds withheld if US DOT determines that use of funds is inconsistent with the plan</li> <li>– US DOT can compel states without plans to spend more of their federal funds on safety projects</li> </ul> </li> </ul>  |
| <b>(1109) CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM:</b> | <ul style="list-style-type: none"> <li>○ Amends 23 USC 149</li> <li>○ Retains program</li> <li>○ Continues suballocation to large metropolitan areas that are non attainment or maintenance</li> <li>○ Requires states to distribute obligation authority (subject to any limitation) to nonattainment or maintenance areas with weighted populations over an unspecified amount between those areas based on relative weighted populations, if not used within 9 months, OA can be used elsewhere in the state</li> <li>○ Repeals Section 149 (e) Partnership with Non Governmental Entities and (f) Cost Effective Emission Reduction (diesel retrofit priority)</li> </ul>  |
| <b>(1110) CRITICAL ASSET INVESTMENT PROGRAM (CAI):</b>                   | <ul style="list-style-type: none"> <li>○ Inserts new section 23 USC 150</li> <li>○ Consolidates Highway Bridge Replacement and Rehabilitation, Interstate Maintenance and National Highway System Programs <ul style="list-style-type: none"> <li>– Funds can be used anywhere on NHS</li> <li>– Any bridge on the Federal Aid Highway System eligible</li> </ul> </li> <li>○ Use of Funds <ul style="list-style-type: none"> <li>– Funds can be used for preservation, rehabilitation, protection, or replacement</li> <li>– Funds cannot be used for capacity increases (other than auxiliary lanes or capacity increases on bridges)</li> <li>– An unspecified percentage for funds can be used for bridge and tunnel inspection, training inspectors, and collection of data on facility condition</li> </ul> </li> <li>○ Formula Program <ul style="list-style-type: none"> <li>– Formula yet to be specified but is proposed to be based on use, condition and extent of State's core highway system (presumed to be NHS)</li> </ul> </li> <li>○ Performance Measures and Accountability <ul style="list-style-type: none"> <li>– Targets vary by state</li> <li>– Percentage based performance targets for highways and bridges set by Secretary of US DOT</li> <li>– Until US DOT sets the targets, highway performance measures will be based on roughness index</li> </ul> </li> </ul> |

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|  | <ul style="list-style-type: none"> <li>○ States develop investment plan to meet targets <ul style="list-style-type: none"> <li>– Approved by US DOT and report annually on progress</li> <li>– Updated biennially</li> <li>– Documents system condition</li> <li>– Includes 6 year investment strategy</li> </ul> </li> <li>○ State required to annually report to US DOT on their progress with meeting targets and distribution of OA by functional classification and ownership of facilities</li> <li>○ Funds withheld if US DOT determines that use of funds is inconsistent with the investment plan</li> <li>○ States may transfer their NHS, Bridge and IM apportionments made prior to October 1, 2009 into the CAI</li> </ul> |
| <b>(1111) SAFE ROUTES TO SCHOOLS:</b>  | <ul style="list-style-type: none"> <li>○ Amends 23 USC 152</li> <li>○ Revises federal share to up to 100 percent</li> <li>○ Allows grants for planning purposes</li> <li>○ Requires grant recipients to collect data</li> <li>○ Establishes a national data collection plan and program</li> <li>○ Allows grants for the use of innovative technologies for data collection</li> <li>○ Requires Office of Livability to issue guidance for expediting projects</li> </ul>   |
| <b>(1112) NATIONAL SCENIC BYWAYS PROGRAM:</b>  | <ul style="list-style-type: none"> <li>○ Amends 23 USC 162</li> <li>○ Creates a Byways Resource Center in US DOT</li> </ul>   |
| <b>(1113) FEDERAL AND TRIBAL LANDS/PUERTO RICO AND TERRITORIAL HIGHWAYS PROGRAM:</b> | <ul style="list-style-type: none"> <li>○ Amends 23 USC 201</li> <li>○ Consolidates most of the federal lands programs with the territorial programs</li> <li>○ Requires implementation of procedures consistent with current State and Metropolitan Planning and Programming requirements</li> <li>○ TIP will be approved by Secretary of US DOT</li> <li>○ Projects will be incorporated into appropriate state and MPO plans and programs</li> <li>○ Appropriations for Indian Reservation Roads and Forest Roads administered jointly by US DOT and Department of the Interior</li> <li>○ Does not appear to alter Indian Reservation Road formulas</li> </ul>   |
| <b>(1115) NONMOTORIZED TRANSPORTATION PILOT PROGRAM:</b>                             | <ul style="list-style-type: none"> <li>○ Extends grant program through 2012</li> <li>○ Expands eligibility from just pedestrian and bicycle trails to include "other features of benefit in fulfilling purposes of the program".</li> <li>○ Requires US DOT to report on results of program</li> </ul>  |
| <b>(1119) TRANSFERABILITY OF FEDERAL AID HIGHWAY FUNDS</b>                           | <ul style="list-style-type: none"> <li>○ Repeals 23 USC 126, transferability provisions within the highway programs</li> </ul>  |
| <b>(1201) OFFICE OF INTERMODALISM:</b>   | <ul style="list-style-type: none"> <li>○ Amends 48 USC 102 and 49 USC 5502</li> <li>○ Moves back to US DOT from Research and Innovative Technology Administration</li> <li>○ Headed by a new Under Secretary of Transportation for Intermodalism charged with: <ul style="list-style-type: none"> <li>– Recommending projects for funding through Metropolitan Mobility and Projects of National Significance programs</li> </ul> </li> </ul>   |

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|  | <ul style="list-style-type: none"> <li>– Intermodal coordination among US DOT administrations</li> <li>○ Brings back Council of Intermodalism composed of US DOT modal administrators, Coast Guard and US Army Corps of Engineers <ul style="list-style-type: none"> <li>– Reviews and approves Under Secretary Recommendations</li> </ul> </li> <li>○ Supports Metropolitan Mobility Program, Freight Improvement, Projects of National Significance, and High-Speed Rail with financing tools</li> <li>○ Home of a new National Infrastructure Bank <ul style="list-style-type: none"> <li>– Similar to TIFIA</li> <li>– Provides credit enhancements, loan guarantees and loans</li> <li>– Operates through Treasury Department</li> <li>– Public and private sector sponsors can access the program</li> </ul> </li> <li>○ Develops a National Transportation Strategic Plan <ul style="list-style-type: none"> <li>– Based on State long-range plans</li> <li>– Focus on projects with significant national and regional impacts</li> <li>– Creates a vision and strategy for federal investment</li> </ul> </li> </ul> |
| <b>(1202) OFFICE OF EXPEDITING PROJECT DELIVERY:</b> | <ul style="list-style-type: none"> <li>○ Adds new section 23 USC 330</li> <li>○ Expands NEPA Delegation Pilot Program to all states</li> <li>○ Establishes within FHWA and FTA an Office of Expedited Project Delivery (OEPD) <ul style="list-style-type: none"> <li>– Focus on largest and most complicated highway and transit projects</li> <li>– Monitors project progress through the delivery process</li> <li>– Assist state in development of environmental review schedule</li> <li>– Promotes practices that accelerate project delivery (e.g., design build)</li> <li>– Resolves obstacles to delivery by working with relevant parties using conflict resolution techniques</li> <li>– Best practices clearing house</li> </ul> </li> <li>○ Reports to Congress on status of delayed projects</li> </ul>   |
| <b>(1203) OFFICE OF LIVABILITY:</b>                  | <ul style="list-style-type: none"> <li>○ Adds new section 23 USC 331</li> <li>○ Established within FHWA <ul style="list-style-type: none"> <li>– Clearinghouse for sustainability practices</li> <li>– Administers Safe Routes to Schools, Transportation Enhancements, Recreational Trails, Scenic byways, and US Bicycle Route System</li> <li>– Develops statistical and analytical capabilities for sustainable transportation options</li> <li>– Compiles and promotes information, best practices and techniques for expediting delivery of nonmotorized sustainable projects</li> <li>– Oversees new requirement for all federal aid projects to consider comprehensive streets policies, principles and design standards very similar to the Complete Streets Program</li> </ul> </li> <li>○ Establishes a US Bicycle Route System <ul style="list-style-type: none"> <li>– Makes grants to States and Indian tribes for planning, mapping, signage, promotional materials and construction</li> <li>– Federal share of grant is 80 percent</li> </ul> </li> </ul>   |

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| <p><b>(1204) OFFICE OF PUBLIC BENEFIT:</b></p> <p><i>See also Section 1301 Tolling</i></p>  | <ul style="list-style-type: none"> <li>○ Adds new section 23 USC 611</li> <li>○ Creates a new Office of Public Benefit within FHWA <ul style="list-style-type: none"> <li>– Reviews and approves state plans for toll rates on federal aid highways as well as methods for toll adjustment and plans to mitigate toll impacts</li> <li>– Monitors state compliance with toll and P3 agreements</li> <li>– Oversees federal P3 requirements</li> </ul> </li> </ul>  |
| <p><b>(1205) METROPOLITAN MOBILITY ACCESS PROGRAM (MMA):</b></p> <p><i>See also Section 1304 Metropolitan Infrastructure Bank</i></p> | <ul style="list-style-type: none"> <li>○ Adds new section 23 USC 701</li> <li>○ Program purpose is to: <ul style="list-style-type: none"> <li>– Provide financial assistance directly to MPOs I</li> <li>– increase mobility and access for goods and people</li> <li>– Implement an outcome based approach to delay and congestion</li> <li>– Improve safety and environmental sustainability</li> </ul> </li> <li>○ Secretary to work with TRB and National Academies to develop program criteria and issue regulations covering eligibility criteria for the program and projects; mobility plan requirements, grant allocations, and performance areas.</li> <li>○ MPO eligibility <ul style="list-style-type: none"> <li>– Planning area of more than 500,000 people</li> <li>– Submit application for program</li> <li>– Has financial capacity and authority to implement program</li> <li>– Carry out a congestion management process</li> <li>– Has implemented low-cost traffic management strategies</li> </ul> </li> <li>○ Grants -- program builds upon the previous Urban Partnership Agreement Program <ul style="list-style-type: none"> <li>– Tier One (40 percent of funds – ten grants) reserved for MPOs over 1 million in population</li> <li>– Tier Two reserved for any eligible MPO not receiving a Tier One grant</li> <li>– Funds available for three years</li> <li>– Unused funds returned to US DOT for redistribution</li> <li>– Federal share is 80 percent</li> <li>– Available for projects eligible under Titles 23 and Title 49 Section 5307</li> <li>– Cannot be used for low cost traffic management strategies</li> <li>– Grants made through Full Funding Grant Agreements</li> <li>– Terms set by Secretary of US DOT <ul style="list-style-type: none"> <li>• Establishes terms of US DOT participation</li> <li>• Maximum amount of financial assistance</li> <li>• Can require collection and analysis of project impacts</li> <li>• Incorporates quantifiable performance targets relating to delay, travel reliability, safety, vehicle accommodation, regional productivity, public transit access, emissions, and reduction of SOV</li> </ul> </li> </ul> </li> <li>○ Metropolitan Mobility Plan <ul style="list-style-type: none"> <li>– Due to US DOT 6 months after final regulations</li> <li>– Certifies recipient meets requirements</li> </ul> </li> </ul> |

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|   | <ul style="list-style-type: none"> <li>- Assess congestion and its impacts</li> <li>- Describes low cost congestion reduction, mobility, access, and livability projects that can be implemented in two years</li> <li>- Also describes other projects for the same purposes that can be implemented in six years</li> <li>- Analyzes project impacts on the conditions described in the plan and other benefits that may accrue to energy, environment, economic development, transportation cost reduction, and land use and growth patterns</li> <li>- Plan developed in coordination with the State and local transit authorities</li> <li>- Plan reviewed and approved by Secretary based on specified criteria</li> <li>- If the plan involves the use of tolls and/or P3's it will be subject to review and approval by the Office of Public Benefit</li> <li>o Metropolitan Infrastructure Bank <ul style="list-style-type: none"> <li>- Created by agreement between US DOT and the MPO</li> <li>- Provides loans and credit assistance</li> </ul> </li> <li>o Annual Reports by Secretary to House T&amp;I, Senate EPW, Banking, Housing and Urban Affairs, program also reviewed annually by the GAO</li> </ul>  |
| <p><b>(1206) PROJECTS OF NATIONAL SIGNIFICANCE (PNS):</b></p> | <ul style="list-style-type: none"> <li>o Adds new section 23 USC 702</li> <li>o Repeals 2 SAFETEA-LU discretionary programs and 1 formula program <ul style="list-style-type: none"> <li>- Projects of Regional and National Significance (discretionary)</li> <li>- National Corridor Infrastructure Improvement Program (discretionary)</li> <li>- Coordinated Border Infrastructure Program (formula)</li> </ul> </li> <li>o Purpose of the program is to Assist critical high-cost transportation facilities that: <ul style="list-style-type: none"> <li>- Generate national economic benefits</li> <li>- Cannot be addressed through state apportionments</li> <li>- Leverage other sources of funds</li> </ul> </li> <li>o Project cost must be expected to exceed the lesser of: <ul style="list-style-type: none"> <li>- \$500 million, or</li> <li>- 75 percent of a state's apportionments, or</li> <li>- 75 percent of the greatest amount apportioned to a single state in a multi-state corridor</li> </ul> </li> <li>o Project Requirements: <ul style="list-style-type: none"> <li>- Eligible under Title 23 or Title 49 Chapter 53 (Transit)</li> <li>- International bridges and tunnels</li> <li>- Public or private freight rail facilities</li> <li>- Intermodal freight transfer facilities</li> <li>- Projects that provide access to either of the two listed immediately above</li> <li>- Intelligent Transportation improvements to facilities described above</li> <li>- Is part of a series of projects meeting the abovementioned criteria that achieve a common objective of improving goods</li> </ul> </li> </ul> |

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|  | <ul style="list-style-type: none"> <li>movement <ul style="list-style-type: none"> <li>– Port projects limited to infrastructure that facilitates direct intermodal transfer and/or access in and out of the port</li> <li>– Must be consistent with state and metropolitan plans, freight corridor plans, and the national transportation strategic plan</li> </ul> </li> <li>○ Funding <ul style="list-style-type: none"> <li>– Federal share is limited to 80 percent of cost</li> <li>– Projects must be supported by local, state, or private sector commitments</li> <li>– Awards are made by US DOT on a competitive basis using criteria that includes: <ul style="list-style-type: none"> <li>• Congestion and mobility benefits</li> <li>• Current and projected volumes of passenger and freight travel</li> <li>• Growth in freight</li> <li>• Economic and environmental costs of congestion in the corridor</li> <li>• National and regional economic benefit</li> <li>• Safety benefits</li> <li>• Use of new technologies</li> </ul> </li> <li>– Selection and awards are made through a letter of intent and a full funding grant agreement, which establishes terms and conditions as well as performance outcomes that must be met</li> <li>– May complete an Early Systems Work Agreement if the project has a record of decision, this will allow some work to proceed on a reimbursable basis prior to execution of a Full Funding Grant agreement</li> <li>– Failure to carry out the project may require that the proponent return the funds plus any interest and penalty charges</li> <li>– Cost savings are shared between US DOT and the proponent</li> <li>– Eligible costs include: <ul style="list-style-type: none"> <li>• Interest</li> <li>• Planning, feasibility, forecasting, environmental studies and review</li> <li>• Engineering and design and other preconstruction activities</li> <li>• Construction, reconstruction, rehabilitation, and ROW</li> <li>• Collection of data and analysis related to project impacts</li> </ul> </li> </ul> </li> <li>○ Other requirements <ul style="list-style-type: none"> <li>– Applicants will be required to complete a before and after study</li> <li>– Secretary of US DOT is required to periodically report to Congress on the status of the program</li> </ul> </li> </ul> |
| <b>(1207) NATIONAL STRATEGIC PLAN:</b> | <ul style="list-style-type: none"> <li>○ Adds new section 23 USC 703</li> <li>○ Solicits states to provide a list of projects, which are selected by the Under Secretary</li> <li>○ The Under Secretary may add projects from states that fail to submit them</li> <li>○ Selection criteria includes:</li> </ul>  |



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|  | <ul style="list-style-type: none"> <li>- National economic benefit</li> <li>- Mobility improvement for passengers and freight</li> <li>- Creation of intermodal links</li> <li>o Project Types: <ul style="list-style-type: none"> <li>- Highway, transit , freight rail, intercity passenger rail,</li> <li>- Multimodal and intermodal facilities, intermodal connectors</li> <li>- Emphasis on development of a national transportation system and service to important national and regional transportation functions</li> </ul> </li> <li>o Plan includes High Speed Rail and Short Sea Shipping routes</li> <li>o Includes cost estimates for the projects</li> <li>o Plan is updated every two years</li> <li>o Under Secretary required to disseminate 20 year projections to states for use in development of their plans; data includes: <ul style="list-style-type: none"> <li>- Highway Performance Monitoring System and Freight Analysis Framework projections for volumes and bottlenecks</li> <li>- Urban transit ridership growth and public transit revenues</li> <li>- Aviation enplanments and ton miles flown</li> <li>- General aviation aircraft hours flown</li> <li>- Capacity constrained airports and air traffic systems</li> <li>- Passenger demand for suborbital space tourism</li> <li>- Freight rail demand</li> <li>- Shipping traffic</li> </ul> </li> </ul>  |
| <b>(1301) TOLL ROADS, BRIDGES, TUNNELS, AND FERRIES:</b> | <ul style="list-style-type: none"> <li>o Amends 23 USC 129</li> <li>o Requires the Secretary of US DOT through the Office of Public Benefit to enter into an agreements with tolling authorities before committing federal participation</li> <li>o Use of tolls restricted to debt service, ROI, operations and maintenance</li> <li>o Excess tolls may be used for mass transportation projects and operational costs in the tolled corridor</li> <li>o Prohibits non-compete clauses</li> <li>o Requires a public comment period prior to toll implementation, consideration of impacts on interstate commerce and travel, and operational and transit improvements to address projected travel diversion</li> <li>o Requires measures to mitigate impacts of tolls on low-income travelers and those likely to be diverted from the facility because of a toll increase</li> <li>o Requires US DOT to review and approve toll agreements and rate changes, terms of approval limited to findings that: <ul style="list-style-type: none"> <li>- The increase is just and reasonable</li> <li>- Reasonable ROI for the private entity involved in finance, operations or maintenance of the facility</li> <li>- The decision is subject to judicial review</li> </ul> </li> <li>o Toll rates and proposed rate changes shall have public notice and be made available in electronic format</li> <li>o Requires a national standard for electronic toll collection devices on the NHS system</li> <li>o Allows federal participation in HOV lanes incorporating tolls for low</li> </ul> |

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|   | <p>occupancy, low emission, or energy efficient vehicles</p> <ul style="list-style-type: none"> <li>- Requires that tolls collected be used for public transportation capital, maintenance, and operating costs of equipment and facilities in the same corridor</li> <li>- Allows variable tolls (congestion pricing)</li> <li>- Grandfathers existing toll authorities subject to certain conditions</li> </ul>   |
| <p><b>(1302, 1303, 1394) TIFIA, STATE INFRASTRUCTURE BANKS &amp; METROPOLITAN INFRASTRUCTURE BANKS:</b></p> | <ul style="list-style-type: none"> <li>o Amends 23 USC 610</li> <li>o TIFIA <ul style="list-style-type: none"> <li>- Requires projects to be subject to labor protection clauses</li> <li>- Increases federal participation in a project to 49% of total cost</li> </ul> </li> <li>o State Infrastructure Banks <ul style="list-style-type: none"> <li>- Extends the program</li> </ul> </li> <li>o Metropolitan Infrastructure Banks <ul style="list-style-type: none"> <li>- Establishes for certain MPO's a program similar to the State Infrastructure Bank Program</li> <li>- Bank can issue loans, credit enhancements, bond reserves, interest subsidies, credit insurance, finance lease agreements for transit capital projects, bond security, and other debt instruments approved by the Secretary of US DOT</li> <li>- MPO must have an approved metropolitan mobility plan in place and be a recipient of a metropolitan mobility and access program grant.</li> <li>- Bank is capitalized with an unspecified portion of the metropolitan mobility and access program grant</li> <li>- The bank can provide financial assistance up to 100 percent of the project's cost</li> <li>- Federal funds cannot be used for grants, at least initially</li> <li>- MPO must also provide a capitalization grant from non federal sources</li> <li>- Must maintain an investment grade rating and establishes criteria for reinvesting income, interest rates charged and terms for repayment</li> </ul> </li> </ul> |
| <p><b>(1501) PROJECT DELIVERY :</b></p>   | <ul style="list-style-type: none"> <li>o Amends 23 USC 106</li> <li>o Adds a requirement that for major projects, State DOT's must include a project delivery schedule along with the financial plan and project management plan</li> </ul>   |
| <p><b>(1502) STANDARDS:</b></p>   | <ul style="list-style-type: none"> <li>o Amends 23 USC 109</li> <li>o Adds language to require US DOT to ensure that highway plans are consistent with a comprehensive street design policies, principles and practical design standards.</li> <li>o Mandates consideration of environment, aesthetic, scenic cultural, preservation, access to other modes and other project impacts in the design phase of National Highway System projects (previously were voluntary)</li> <li>o Requires the Office of Livability to issue guidance on Comprehensive Street Design within one year of enactment.</li> </ul>  |

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| <p><b>(1504) PUBLIC<br/>PRIVATE<br/>PARTNERSHIP<br/>AGREEMENTS:</b></p> | <ul style="list-style-type: none"> <li>○ Amends 23 USC 112 Contracts</li> <li>○ Requires Public authorities to complete an analysis that P3 agreement will provide value compared to traditional delivery methods that considers: <ul style="list-style-type: none"> <li>– Lifecycle costs and delivery timeframes for both private and traditional methods</li> <li>– Benefits and costs of transfer of risk to the P3</li> <li>– Other benefits or costs associated with public delivery (quantitative or qualitative)</li> </ul> </li> <li>○ Transparency of PPP agreement development <ul style="list-style-type: none"> <li>– Requires that terms of the agreement be made public before it is approved (except for proprietary information)</li> <li>– Requires opportunity for public comment including public meetings and posting information on the World Wide Web</li> </ul> </li> <li>○ Specific Access Requirements: <ul style="list-style-type: none"> <li>– Prohibits closing of the facility or portions to vehicular traffic except for maintenance, accident clearance except for auto only, HOV or Truck only lanes.</li> <li>– Allows restriction of motorcycle and bicycles for safety reasons</li> <li>– Requires provision to allow public authority to take over facility and reopen it in the event of an unauthorized closure</li> <li>– Requires that the highway be opened for emergency evacuation if ordered by the Governor or President and prohibits the operator for charging tolls under such circumstances</li> </ul> </li> <li>○ Prohibits non compete clauses</li> <li>○ Requires a clause that would allow the public agency to terminate the agreement for convenience and reassume ownership upon payment of fair market value.</li> <li>○ Requires that the contract establish standards for the facility to meet upon the end of the term of the contract</li> </ul> |
| <p><b>(1505) PREVAILING<br/>WAGE:</b></p>                               | <ul style="list-style-type: none"> <li>○ Amends 23 USC 113 to require that prevailing wage rate comparison does not have to be based on similar projects in the immediate locality of the project but can be made with projects of a similar character in the locality.</li> </ul>  |
| <p><b>(1506)<br/>EMERGENCY<br/>RELIEF:</b></p>                          | <ul style="list-style-type: none"> <li>○ Amends 23 USC 120 and 125 to restructure language</li> <li>○ Allows use of funds to pay for maintenance and operation of temporary ferry and transit services less the amount of fares charged</li> <li>○ Requires the Secretary to initiate a rulemaking to update regulations for the program and to review the need for changes to the thresholds for funding</li> <li>○ Requires the Secretary to take steps to improve training to federal and state officials on ER requirements and processes.</li> </ul>   |
| <p><b>(1507) HIGHWAY-<br/>RAIL CROSSINGS:</b></p>                       | <ul style="list-style-type: none"> <li>○ Amends 23 USC 130</li> <li>○ Conforming amendments to reflect changes to HSIP</li> </ul>   |

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| <p><b>(1508)</b><br/> <b>METROPOLITAN</b><br/> <b>PLANNING:</b></p> | <ul style="list-style-type: none"> <li>○ Amends 23 USC 134</li> <li>○ Planning policy statement additions: <ul style="list-style-type: none"> <li>– Reduce fuel consumption, foreign oil reliance, greenhouse gas emissions and environmental impacts</li> <li>– Encourage livability, public health, sustainability, coordination and connectivity</li> </ul> </li> <li>○ Rural Planning Organizations (RPO's) <ul style="list-style-type: none"> <li>– Defines as organization designated by the state</li> <li>– Population of less than 50,000</li> <li>– Requires states to coordinate with RPO's</li> <li>– Allows US DOT to review RPO consultation process</li> </ul> </li> <li>○ MPO Structure: <ul style="list-style-type: none"> <li>– Changes MPO designation threshold from 50,000 population to 100,000</li> <li>– Grandfathers existing MPO's less than 100,000 until such time as their population exceeds 100,000 (both for designation and applicability of small MPO rules)</li> <li>– Extends board composition requirements to all MPO's (not just those serving a transportation management area)</li> <li>– Requires board members to include operators of public transit systems</li> <li>– Requires proportional representation among voting board members</li> </ul> </li> <li>○ Transportation Management Areas required to address greenhouse gas reduction <ul style="list-style-type: none"> <li>– Establish emission reduction targets and strategies</li> <li>– Must demonstrate progress in meeting targets</li> <li>– Process must be made available to the public on the web</li> </ul> </li> <li>○ MPO Performance and Accountability <ul style="list-style-type: none"> <li>– Planning performance measures set by Secretary of US DOT <ul style="list-style-type: none"> <li>• Measures adjusted for MPO population size</li> </ul> </li> <li>– MPO's report annually on process and performance management is linked to certification</li> <li>– Failure to certify leads to withholding of up to 20 percent of project funds in the area (funds are restored upon certification)</li> <li>– Largest MPO's (1 million population or greater) must include a performance measure that looks at how the plan was developed with consideration of land use patterns, housing supply, limiting impacts on farmland, air quality, natural resources, water, energy, community livability and greenhouse gases.</li> <li>– All MPO's required to submit an annual progress report to US DOT</li> </ul> </li> </ul> |
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| <p><b>(1509) STATEWIDE PLANNING:</b></p> | <ul style="list-style-type: none"> <li>○ Amends 23 USC 135</li> <li>○ Planning Process <ul style="list-style-type: none"> <li>– Scope of process adds sustainability, livability, greenhouse gas emission reduction, reliance on foreign oil, and climate change adaptation</li> <li>– State Plan Must: <ul style="list-style-type: none"> <li>• Include a 20 –year forecast period for all areas of the state.</li> <li>• Consider data and statistics provided by US DOT</li> <li>• Identify projects of statewide, regional, and national significance and include cost estimates</li> <li>• Include measures to alleviate airport congestion if the state has an airport that accounts for 1 percent of national congestion</li> <li>• Include measures to reduce freight rail congestion if US DOT requires</li> <li>• Plans for deep draft port expansion and traffic increases</li> <li>• Include short sea shipping plans</li> </ul> </li> <li>– Greenhouse Gas Emission Reductions, the State must <ul style="list-style-type: none"> <li>• Develop targets and strategies</li> <li>• Demonstrate progress</li> <li>• Private public notice through the World Wide Web</li> </ul> </li> <li>– State plan must be updated by 9/30/2011</li> </ul> </li> <li>○ Programming Process <ul style="list-style-type: none"> <li>– State must consult with Rural Planning Organizations</li> </ul> </li> <li>○ State Performance and Accountability <ul style="list-style-type: none"> <li>– Planning performance measures set by Secretary of US DOT</li> <li>– States report annually on process and performance management is linked to statewide planning funds</li> <li>– Planning process needs to consider (in addition to above) public health, and consistency with housing and land use</li> <li>– Requires US EPA and US DOT to set national emissions reductions goals and standardized models for developing emissions reduction targets</li> </ul> </li> </ul> |
| <p><b>(1510) PROJECT DELIVERY:</b></p>   | <ul style="list-style-type: none"> <li>○ Amends 23 USC 1510</li> <li>○ Allows advanced acquisition of property on the Secretary of US DOT's determination (EPA no longer involved)</li> <li>○ Authorizes Secretary to encourage corridor preservation</li> <li>○ Encourages programmatic approaches to environmental review</li> <li>○ Allows environmental decisions made in planning process to be incorporated by reference into the environmental process subject to determination by the federal lead agency</li> <li>○ Requires the Secretary to issue a record of decision within 120 days of completion of the final environmental impact statement unless requested otherwise by the sponsor or if the Secretary has determined that the sponsor has not complied with NEPA</li> <li>○ Amends 23 USC 327 to extend NEPA delegation pilot to all states (does not extend the program past 2011)</li> </ul>   |

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| <p><b>(1511)<br/>DISADVANTAGED<br/>BUSINESS<br/>ENTERPRISE<br/>PROGRAM:</b></p>               | <ul style="list-style-type: none"> <li>○ Purpose is to ensure that minority and women owned businesses have full and fair access to compete in projects and contracts</li> <li>○ Makes numerous findings indicating that although progress has been made, discrimination is still a barrier taking many forms</li> <li>○ Requires that 10 percent of funds made available for highways, transit and research be expended through small businesses owned and controlled by economically disadvantaged individuals</li> <li>○ States have to compile a list of small business concerns and their location within the state</li> <li>○ Notify US DOT of the percentages of business controlled by women, socially and economically disadvantaged individuals, and women who are also socially and economically disadvantaged</li> <li>○ US DOT required to establish minimum criteria for certifying whether a business qualifies</li> <li>○ Requires the Secretary to issue regulations within 180 days of enactment adjusting the net worth cap and to do so annually on June 30</li> <li>○ Prohibits excessive or discriminatory bonding requirements</li> <li>○ US DOT must establish a training program for State DOT officials</li> </ul>  |
| <p><b>(1512) HIGHWAY<br/>BRIDGE<br/>INVENTORIES,<br/>STANDARDS &amp;<br/>INSPECTIONS:</b></p> | <ul style="list-style-type: none"> <li>○ Replaces Existing 23 USC 144 Bridge Replacement</li> <li>○ Requires Secretary in consultation with the states to : <ul style="list-style-type: none"> <li>– inventory all bridges on public roads</li> <li>– Identify those bridges that are structurally deficient or functionally obsolete</li> <li>– Assign a risk-based priority for replacement, rehabilitation</li> <li>– Determine the cost of replacing each structurally deficient bridge</li> </ul> </li> <li>○ Creates national bridge inspection standards that: <ul style="list-style-type: none"> <li>– Are maintained by the Secretary of US DOT</li> <li>– Specify methods for inspection</li> <li>– Establish maximum time periods between inspections set at one year for structurally deficient bridges and fracture critical bridges, and two years for other bridges</li> <li>– Establish inspector qualifications and certification procedures</li> <li>– Require state and federal agencies to make written reports of the inspections and inventory data available to the Secretary of US DOT</li> <li>– Establish procedures for the Secretary to conduct compliance reviews</li> <li>– Provide for testing with state of the art technologies that detects growth activity of fatigue cracks up to 0.01 inches</li> </ul> </li> <li>○ Requires that within 2 years of enactment states and federal agencies recalculate the load rating of all highway bridges and biennially thereafter</li> <li>○ Requires states to institute a bridge management system, the Secretary of US DOT must issue revised regulations 2 years after enactment</li> <li>○ Establishes requirements for bridges not on federal aid highways as a credit to non federal share of funding</li> <li>○ Requires states to inspect privately owned bridges on the border</li> <li>○ Requires a study on the effectiveness of bridge rating systems</li> </ul> |

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| <b>(1513) NATIONAL TUNNEL INSPECTION PROGRAM:</b>   | <ul style="list-style-type: none"> <li>○ Replaces existing 23 USC 151 Bridge Inspection</li> <li>○ Requires US DOT to establish national tunnel inspection standards within 2 years of enactment Program guidance similar to National Bridge Program (1512)</li> <li>○ Sets minimum requirements for the standards that: <ul style="list-style-type: none"> <li>– Specify how inspections are carried out</li> <li>– Establish maximum time period between inspections</li> <li>– Establish qualifications for inspectors and certification requirements</li> <li>– Require state and federal agencies to make written reports of the inspections and inventory data available to the Secretary of US DOT</li> <li>– Establish procedures for the Secretary to conduct compliance reviews</li> </ul> </li> <li>○ Creates a training program for inspectors</li> <li>○ Withholds funding for tunnel projects for those states not meeting compliance beginning 2 years after adoption of standards</li> </ul> |
| <b>(1515) HOV FACILITIES:</b>   | <ul style="list-style-type: none"> <li>○ Amends 23 USC 166</li> <li>○ Extends the low emission and energy efficient vehicle in HOV lanes program to 2015</li> <li>○ Requires states to report that inclusion of the vehicles will not degrade the HOV lane</li> <li>○ Requires quarterly reports on HOV lane status</li> <li>○ Requires Secretary to transfer ½ percent of STP apportionments to CMAQ if the quarterly report shows degradation or if the agency fails to submit the report. In addition, the Secretary is required to set aside an equivalent amount of Obligation authority adjusted for limitation to the CMAQ program</li> </ul>   |
| <b>(1518) BUY AMERICA:</b>  | <ul style="list-style-type: none"> <li>○ Amends 23 USC 313</li> <li>○ Eliminates ability to segment bridge projects if all segments of the project are included in a single approved environmental document</li> </ul>   |
| <b>(1520) ROADWAY, BICYCLE AND PEDESTRIAN, WORK ZONE, AND HIGHWAY-RAIL GRADE CROSSING SAFETY:</b> | <ul style="list-style-type: none"> <li>○ Allows Secretary to make grants to improve safety for these areas</li> <li>○ Grants are mostly for data development and increasing awareness</li> <li>○ Work Zone grants can be used to train workers</li> </ul>  |
| <b>(1522) EXTENSION OF PUBLIC TRANSIT VEHICLES FROM AXLE WEIGHT RESTRICTIONS</b>                  | <ul style="list-style-type: none"> <li>○ Extends program to 2015</li> </ul>  |

| <b>TITLE III PUBLIC TRANSPORTATION:</b>      |   |
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| <b>(3002) POLICIES AND PURPOSES:</b>         | <ul style="list-style-type: none"> <li>○ Amends 49 USC 5301</li> <li>○ Revises and adds policy declarations as follows: <ul style="list-style-type: none"> <li>– Increasing transit ridership as a national policy</li> <li>– Increasing mobility at reasonable cost</li> <li>– Reducing energy consumption and reliance on foreign oil</li> </ul> </li> </ul>  |
| <b>(3003) DEFINITIONS:</b>                   | <ul style="list-style-type: none"> <li>○ Amends 49 USC 5302</li> <li>○ Defines clean fuel vehicle as one that is powered by a number of alternative fuels and is certified by the EPA as reducing harmful emissions</li> <li>○ Defines rural area as having a population less than 50,000 and not having been designated as an urbanized area</li> </ul>  |
| <b>(3004) METROPOLITAN PLANNING:</b>         | <ul style="list-style-type: none"> <li>○ Amends 49 USC 5303 and conforms in language to 23 USC 134 as amended by Section 1508 (see above)</li> </ul>  |
| <b>(3005) STATEWIDE PLANNING:</b>            | <ul style="list-style-type: none"> <li>○ Amends 49 USC 5304 and conforms in language to 23 USC 135 as amended by Section 1509 (see above)</li> </ul>  |
| <b>(3006) URBANIZED AREA FORMULA GRANTS:</b> | <ul style="list-style-type: none"> <li>○ Amends 49 USC 5307</li> <li>○ Adds new definitions: <ul style="list-style-type: none"> <li>– State of Good Repair Investment Plan</li> <li>– Performance target</li> </ul> </li> <li>○ Deletes requirement for expenditure of 1percent of 5336 funding on security enhancements</li> <li>○ Adds Performance Management requirement <ul style="list-style-type: none"> <li>– In general, goals are to improve system condition through maintenance and preservation, bring the system into a state of good repair, increase energy efficiency and environmental benefits of equipment and increase overall system ridership</li> <li>– Requires US DOT to establish performance targets for recipients in the following areas <ul style="list-style-type: none"> <li>▪ Fleet age</li> <li>▪ Track condition</li> <li>▪ Structure condition</li> <li>▪ Station condition</li> <li>▪ Energy efficiency of rolling stock, systems, services and facilities</li> </ul> </li> </ul> </li> <li>○ Adds requirement for recipients to complete a State of Good Repair Investment Plan <ul style="list-style-type: none"> <li>– Due to US DOT six months after establishment of performance targets</li> <li>– Updated annually</li> <li>– Document existing condition</li> <li>– Includes a multiyear investment strategy and prioritizes investment among assets by condition, projects, and other costs</li> <li>– Secretary reviews and approves plan and updates failure to gain approval will trigger a 60 day clock to revise the plan or be precluded from obligating funds</li> </ul> </li> </ul> |



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|  | <ul style="list-style-type: none"> <li>- Secretary can reduce targets if he or she determines that there are not sufficient apportionments of federal funds to support the plan</li> <li>- Plan must be made a public document</li> <li>- Recipients are required to report annually on their progress in meeting performance targets</li> <li>- Secretary reports annually to Congress</li> </ul>   |
| <b>(3007) INTERMODAL AND ENERGY EFFICIENT TRANSIT FACILITIES GRANTS:</b> | <ul style="list-style-type: none"> <li>o Replaces existing 49 USC 5308 Clean Fuels program</li> <li>o Allows Secretary to make capital grants for: <ul style="list-style-type: none"> <li>- Intermodal passenger facilities</li> <li>- Public transportation facilities to reduce greenhouse gas emissions</li> </ul> </li> <li>o Selection priority made on energy savings, 5.5 percent of the funds reserved for rural areas</li> <li>o Federal share of project cost is up to 80 percent</li> <li>o Funds available for obligation for 3 years, unused funds are recycled to other projects</li> </ul>  |
| <b>(3008) CAPITAL INVESTMENT GRANTS:</b>                                 | <ul style="list-style-type: none"> <li>o Replaces existing 49 USC 5309 Capital Investment Grant program</li> <li>o Generally brings program more in line with Highway project development</li> <li>o Definition changes: <ul style="list-style-type: none"> <li>- Deletes definition (and requirement for) Alternatives Analysis</li> <li>- Changes new fixed guideway capital definition to include system extensions</li> <li>- Revises "Major Fixed Guideway" to commonly used term of "New Starts" and increase project threshold to \$100 million (from \$75 million)</li> <li>- Adds new definition for "Small Starts" defined as fixed guideway below \$100 million</li> </ul> </li> <li>o New Starts: <ul style="list-style-type: none"> <li>- Deletes fixed guideway modernization and capital bus and bus facility projects from eligibility for funding</li> <li>- Eliminates alternatives analysis, and instead relies on results of metropolitan planning process preferred alternative</li> <li>- Consolidates preliminary engineering/final design application and approval process into one project development process, which can begin as soon as US DOT is notified by the proponent that the project has been selected as the locally preferred alternative</li> <li>- US DOT evaluation of application now based on comparison to a no action alternative for community benefit and also adds consideration of supportive land use policies</li> <li>- In addition to existing requirements for local financial commitment, US DOT can now consider project elements that are advanced with 100 percent local funds</li> </ul> </li> <li>o Small Starts: <ul style="list-style-type: none"> <li>- Continues exemption for projects costing less than \$25 million</li> <li>- Essentially follows revised New Starts selection, review and approval processes but with a slightly lesser degree of scrutiny</li> </ul> </li> <li>o Existing New and Small Starts projects are not included in the revised</li> </ul> |

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|   | <p>process if they already have a Full Funding Grant Agreement or Letter of Intent</p> <ul style="list-style-type: none"> <li>○ Allows Secretary of US DOT to issue a Letter of Intent, which is not a commitment of funds</li> <li>○ Requires before and after studies of the project as a condition of the Full Funding Grant Agreement</li> <li>○ May complete an Early Systems Work Agreement if the project has a record of decision, this will allow some work to proceed on a reimbursable basis prior to execution of a Full Funding Grant agreement</li> <li>○ Federal share is limited to no more than 80 percent of net project cost</li> <li>○ Eliminates the use of a cost-effectiveness index in project evaluations</li> <li>○ Contains several provisions to expedite project approvals by US DOT</li> </ul>  |
| <p><b>(300)<br/>COORDINATED<br/>ACCESS AND<br/>MOBILITY<br/>FORMULA<br/>GRANTS:</b></p> | <ul style="list-style-type: none"> <li>○ Replaces existing 49 USC 5310 and repeals 5316 Jobs Access Reverse Commute and 5317 New Freedom Programs and consolidates them into one program</li> <li>○ Key Definitions: <ul style="list-style-type: none"> <li>– Elderly individual is defined as a person age 65 or older</li> <li>– Low income individual is defined as a person at or below 150 percent of the poverty line</li> <li>– Job Access Reverse Commute Project (JARC) is a project related to transporting welfare recipients and low income individuals to and from jobs and employment related activities</li> </ul> </li> <li>○ Goal of the program is to improve accessibility of public transportation for low income, elderly and disabled</li> <li>○ Grants: <ul style="list-style-type: none"> <li>– For public transportation projects for elderly, disabled, JARC, new alternatives and services beyond Americans with Disability Act requirements</li> <li>– JARC grants can include operating expenses</li> <li>– Acquisition of public transportation services</li> <li>– Administrative expenses not to exceed 10 percent of apportionment</li> <li>– Urban grants administered under 5307 rules</li> <li>– Rural grants administered under 5311 rules</li> <li>– Secretary can waive administration requirements</li> </ul> </li> <li>○ Apportionment Formula <ul style="list-style-type: none"> <li>– 60 percent based on relative population of elderly, disabled, low income and welfare recipients in each urbanized area</li> <li>– 20 percent based on relative population within each state of population of elderly, disabled, low income and welfare recipients in urbanized areas of less than 200,000</li> <li>– 20 percent based on the relative population within each state of population of elderly, disabled, low income and welfare recipients in rural areas with a population of less than 50,000</li> </ul> </li> <li>○ Recipients of formula funds are required to competitively solicit grant proposals within their respective areas with certain exceptions</li> <li>○ Recipients cannot set limits on operating expenses beyond those specified in the bill</li> </ul> |

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|  | <ul style="list-style-type: none"> <li>○ Performance measures <ul style="list-style-type: none"> <li>– US DOT to develop performance measures within 12 months of enactment</li> <li>– Specifies that at least one measure shall relate to ADA compliance</li> <li>– Recipients must establish performance targets 18 months after enactment</li> <li>– Recipients must develop performance plans based on the program goals, targets, and cumulative annual apportionments from the program</li> <li>– US DOT approves the plans and recipients annually report on their progress</li> <li>– Disapproval of a plan can lead to withholding of funds by US DOT</li> <li>– 2010 Performance targets are based on expenditure of funding</li> </ul> </li> <li>○ Recipients are required to certify that projects were selected from locally developed public transportation human services plans</li> <li>○ Federal Share <ul style="list-style-type: none"> <li>– Capital projects is up to 80 percent</li> <li>– Operating assistance may not exceed 50 percent</li> </ul> </li> <li>○ The program will be evaluated by the Comptroller General and the Secretary of US DOT with respective reports to Congress</li> </ul> |
| <b>(3010) RURAL AREA FORMULA GRANTS:</b> | <ul style="list-style-type: none"> <li>○ Amends 49 USC 5311 Formula Grants to Other than Urbanized Areas</li> <li>○ Requires the Secretary of US DOT to report biennially to Congress on effectiveness of the program</li> <li>○ Adds program goals focusing on rural mobility and access, increasing Intermodalism and connectivity, increasing the state of good repair, and supporting intercity bus transportation</li> <li>○ Limits state set aside for administration, planning and technical assistance to 10 percent</li> <li>○ Allows states to use the unsubsidized capital costs for intercity bus service as in-kind match for intercity bus operating funds</li> <li>○ Performance Management <ul style="list-style-type: none"> <li>– US DOT Secretary to establish performance measures within 12 months of enactment</li> <li>– Measures to be based on the National Transit Database and aligned with goals of program</li> <li>– State establishes performance targets within 18 months of enactment</li> <li>– States report annually to Secretary</li> </ul> </li> </ul>   |
| <b>(3011) TRANSIT RESEARCH GRANTS:</b>   | <ul style="list-style-type: none"> <li>○ Amends 49 USC 5312 Research, Development and Deployment Projects</li> <li>○ Allows grants for training projects</li> <li>○ Creates a national fuel cell bus technology development program <ul style="list-style-type: none"> <li>– Awards grants on a competitive basis</li> <li>– Federal share is 50 percent</li> <li>– Applies 5309 requirements to grants</li> </ul> </li> </ul>   |

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| <b>(3012) BUS TESTING FACILITY:</b>                               | <ul style="list-style-type: none"> <li>○ Amends 49 USC 5318 to add a retesting requirement for modified buses if the Secretary so determines that it is needed</li> </ul>  |
| <b>(3013) TRANSIT IN THE PARKS:</b>                               | <ul style="list-style-type: none"> <li>○ Amends 49 USC 5320 Alternative Transit in Parks and Public Lands</li> <li>○ Moves program entirely within US DOT by eliminating consultation with US Department of the Interior</li> <li>○ Adds requirements for the Secretary of US DOT to expedite project delivery</li> </ul>  |
| <b>(3014) WORKFORCE DEVELOPMENT PROGRAMS:</b>                     | <ul style="list-style-type: none"> <li>○ Replaces 49 USC 5322 Human Resource Programs</li> <li>○ Requires the Federal Transit Administration to establish a National Joint Workforce Development Council within six months of enactment</li> <li>○ Council composed of labor and management representatives from each Regional Workforce Development Board and up to 10 ex-officio members <ul style="list-style-type: none"> <li>– Council required to conduct a study on transit workforce development issues</li> <li>– Identify skill gaps in transit maintenance departments</li> <li>– Develop programs for maintenance and management retention</li> <li>– Develop best practices in training and skill development</li> <li>– Conduct research and make recommendations to US DOT</li> </ul> </li> <li>○ Establishes as yet undefined regional workforce development councils</li> <li>○ Creates grant programs to develop skills in youths, apprenticeship programs, and worker retention programs</li> </ul> |
| <b>(3017) OFFICE OF EXPEDITED PROJECT DELIVERY:</b>               | <ul style="list-style-type: none"> <li>○ Inserts new section 49 USC 5326 to conform to similar program established in 23 USC 330 as amended by Section 1202 of this Act</li> <li>○ Focuses on new starts projects</li> </ul>   |
| <b>(3020) APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS:</b> | <ul style="list-style-type: none"> <li>○ Amends 49 USC 5336</li> <li>○ Changes 5307 distribution formula for areas less than 200,000 by: <ul style="list-style-type: none"> <li>– Reducing the population factor from 50 to 40 percent, and</li> <li>– Reducing the weighted density factor from 50 to 40 percent, and</li> <li>– Adding a 20 percent factor that is calculated as follows: <ul style="list-style-type: none"> <li>• ½ based on vehicle revenue miles</li> <li>• ½ based on passenger miles</li> </ul> </li> </ul> </li> </ul>   |
| <b>(3021) FIXED GUIDEWAY MODERNIZATION:</b>                       | <ul style="list-style-type: none"> <li>○ Amends 49 USC 5337</li> <li>○ Establishes goal for program of rehabilitation and maintenance of fixed guideway systems, reducing maintenance backlogs and increasing ridership</li> <li>○ Eliminates tiered distribution formula</li> <li>○ Allows Secretary to make grants</li> <li>○ Grants remain available for 3 years after apportionment, unused apportionments are reallocated by US DOT</li> <li>○ Grants administered through the 5307 program</li> <li>○ Note: several sections have yet to be supplied</li> <li>○ Infers that a performance management requirement will be added later</li> </ul>  |
| <b>(3023) REPEALS:</b>  | <ul style="list-style-type: none"> <li>○ Repeals 49 USC 5339 Alternatives Analysis</li> <li>○ Repeals 49 USC 5340 Growing States Formula</li> </ul>  |

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| <b>(3026)<br/>TRANSPORTATION<br/>FRINGE BENEFITS:</b>  | <ul style="list-style-type: none"><li>○ Amends IRS code to allow transit benefit deductions set at the same level as that for parking benefits</li><li>○ Creates a national transit pass program for federal agencies</li></ul>  |
| <b>(3027) STREETCAR<br/>CATEGORICAL<br/>EXCLUSION:</b> | <ul style="list-style-type: none"><li>○ Requires Secretary to issue a rulemaking on light rail street cars located in existing right of way</li></ul>  |
| <b>(3028) SAFETEA<br/>LU REPEALS</b>                   | <ul style="list-style-type: none"><li>○ Repeals<ul style="list-style-type: none"><li>– Section 3009 (i) Contracted Paratransit Pilot</li><li>– Section 3011(c) Public Private Partnership Pilot</li><li>– Section 3012(b) Elderly and Disabled Pilot</li><li>– Section 3045 Fuel Cell Bus Technology</li><li>– Section 3046 Allocations for National Research and Tehnology Programs</li></ul></li></ul> |

| <b>TITLE VI RAIL ADMINISTRATION</b>   |  |
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| <b>(6001) HIGH SPEED RAIL:</b>  | <ul style="list-style-type: none"> <li>○ Amends 49 USC 26101 through 26106 relating to High Speed Rail</li> <li>○ Corridor Planning: <ul style="list-style-type: none"> <li>– Allows Secretary of US DOT to provide assistance to applicants for high speed rail corridor planning at up to 80 percent of project cost</li> <li>– State and local 20 percent matching sources cannot include other federal funds</li> <li>– Allows use of funds for: <ul style="list-style-type: none"> <li>▪ Environmental assessments</li> <li>▪ Feasibility studies</li> <li>▪ Economic analyses</li> <li>▪ Community economic impact analyses</li> <li>▪ Operational planning</li> <li>▪ Route selection analysis</li> <li>▪ Preliminary engineering and design</li> <li>▪ Identification of improvements</li> <li>▪ Financial plan development</li> <li>▪ Public Private Partnership creation</li> </ul> </li> <li>– Secretary to select recipients based on project relationships to corridor plans, metropolitan and statewide planning, and interconnection with national transportation system</li> </ul> </li> <li>○ Technology Improvements: <ul style="list-style-type: none"> <li>– Allows Secretary of US DOT to carry out research, development and demonstration of high speed rail technologies</li> <li>– Creates and appropriates an unspecified amount of funding for grants for this purpose</li> </ul> </li> <li>○ Safety Regulations: <ul style="list-style-type: none"> <li>– Requires Secretary of US DOT to promulgate safety regulations</li> </ul> </li> <li>○ Corridor Development <ul style="list-style-type: none"> <li>– Requires Secretary of US DOT to implement a development program that provides grants for capital projects</li> <li>– Competitive selection process based on specified criteria</li> <li>– Project will need to demonstrate: <ul style="list-style-type: none"> <li>▪ Public return on investment</li> <li>▪ Transportation benefits</li> <li>▪ Positive economic and employment impacts</li> <li>▪ Energy efficiency and environmental quality consideration</li> <li>▪ Livable community support</li> </ul> </li> <li>– Can make grants for up to 80 percent of capital cost</li> <li>– Secretary can issue letters of intent to obligate funds</li> </ul> </li> </ul> |
| <b>(6005) RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM (RRIF):</b> | <ul style="list-style-type: none"> <li>○ Reduces interest paid on direct loans</li> <li>○ Allows credit risk premiums to be spread over the life of a loan</li> <li>○ Allows recipients to provide private insurance</li> <li>○ Requires recipients to comply with Buy America</li> </ul>  |

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| OTHER: | <ul style="list-style-type: none"><li>○ Reauthorizes Rail Line Relocation Program</li><li>○ Reauthorizes Short Line Capital Grant program</li></ul> |
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